

## AN ORDINANCE RESTRICTING NOISE

The Town of Barrington ordains:

### Section 1: Legislative Findings; Purpose

"The town meeting of the Town of Barrington hereby finds and declares that unreasonably loud noises are a detriment to the public comfort, repose, health, peace, safety, convenience, welfare and prosperity of the residents of the Town of Barrington. The purpose of this Ordinance is to place reasonable restrictions on the propagation of such noise, pursuant to RSA 31:39, I(n)."

### Section 2: Certain Noise Unlawful

"From and after the effective date of this Ordinance, it shall be unlawful to propagate any noise within the corporate limits of the Town of Barrington which exceeds 60 decibels during the hours of 9 PM – 6 AM or 75 decibels during the hours of 6 AM – 9 PM to be measured at the boundary of abutting property or any public right of way."

### Section 3: Measurement of Noise

The sound level meter used to determine the level of noise produced shall be used following the manufacturer's specified procedures.

### Section 4: Application for Waiver

A temporary waiver from the restrictions imposed by this Ordinance may be granted by the Town Administrator for special events or unusual circumstances for a period not to exceed three days in any twelve month period. A written request for a waiver, stating the reasons it should be granted, shall be filed with the Town Administrator no later than twenty days before the special event or unusual circumstances will occur. The Town will notify the abutters of the request for waiver and invite written comments to be submitted by a certain deadline. Following the period for written comments, the Town Administrator will issue a written decision on the request for waiver, which may include

reasonable conditions to be imposed if the waiver is granted. Notice of the decision shall be mailed to the applicant and abutters.

Any person aggrieved by the decision of the Town Administrator may appeal to the Board of Selectmen within three days of the issuance of the decision and not thereafter. The decision of the Board of Selectmen shall be final.

#### Section 5: Penalties

Any person violating the terms of this Ordinance may be fined up to \$1000 for each offense.

#### Section 6: Separability

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provision or application and to this end the provisions of this Ordinance are severable.

#### Section 7: Takes Effect

This Ordinance shall take effect 3/13/01.

March 29, 2001  
Shirley M. Marguella,  
Town Clerk